





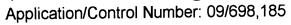
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UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	ATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,185 10/30/2000		10/30/2000	Kosuke Inoue	500.39240X00	3560
20457	7590	12/12/2001			
ANTONEI	LI TERF	RY STOUT AND	EXAMINER		
SUITE 1800 1300 NORT		TEENTH STREE	THAI, LUAN C		
ARLINGTON, VA 22209				ART UNIT	PAPER NUMBER
			2811		
			DATE MAILED: 12/12/2001		

Please find below and/or attached an Office communication concerning this application or proceeding.

	•		\oldots						
		Application No.	Applicant(s)						
		09/698,185	INOUE, KOSUKE						
6 .	Office Action Summary	Examiner	Art Unit						
		Luan Thai	2811						
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
THE M - Exten after S - If the - If NO - Failur - Any re	DRTENED STATUTORY PERIOD FOR REPL'MAILING DATE OF THIS COMMUNICATION. Issions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period to to reply within the set or extended period for reply will, by statute eply received by the Office later than three months after the mailing dipatent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply within the statutory minimum of thirty (will apply and will expire SIX (6) MONTH to cause the application to become ABAN	y be timely filed 10) days will be considered timely. S from the mailing date of this communication. DONED (35 U.S.C. § 133).						
1)	Responsive to communication(s) filed on	<u> </u>							
2a) <u></u> ☐	This action is FINAL. 2b) The	nis action is non-final.							
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Dispositi	on of Claims								
-	Claim(s) 1-14 is/are pending in the application								
	4a) Of the above claim(s) is/are withdra	wn from consideration.							
•	Claim(s) is/are allowed.								
	Claim(s) is/are rejected.								
•	Claim(s) is/are objected to.								
8)⊠	Claim(s) 1-14 are subject to restriction and/or	election requirement.							
• •	ion Papers	·	•						
9) The specification is objected to by the Examiner.									
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.									
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.									
If approved, corrected drawings are required in reply to this Office action.									
12) ☐ The oath or declaration is objected to by the Examiner.									
, —	under 35 U.S.C. §§ 119 and 120								
	Acknowledgment is made of a claim for foreig	n priority under 35 U.S.C. §	119(a)-(d) or (f).						
l	☐ All b)☐ Some * c)☐ None of:								
	1. Certified copies of the priority documer	its have been received.							
	2. Certified copies of the priority documer	nts have been received in Ap	plication No						
*	 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
14) 🔲	Acknowledgment is made of a claim for domes	tic priority under 35 U.S.C. §	119(e) (to a provisional applicati	ion).					
	a) \square The translation of the foreign language p Acknowledgment is made of a claim for domes	rovisional application has be	en received.						
Attachme	nt(s)	_							
2) Noti	ce of References Cited (PTO-892) ice of Draftsperson's Patent Drawing Review (PTO-948) rmation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Ir	ummary (PTO-413) Paper No(s) formal Patent Application (PTO-152)	,					
U.S. Patent and	Trademark Office	Action Summary	Part of Paper No	. 9					

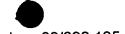


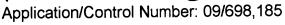
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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-6, drawn to a semiconductor device, classified in class 257, subclass 668.
 - II. Claims 7-14, drawn to a method of making a semiconductor device, classified in class 438, subclass 106+.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case unpatentability of the Group I invention would not necessarily imply unpatentability of the Group II invention, since the device of the group I invention could be made by processes different from those of the Group II invention. For example, in claim 7, the semiconductor device can be formed individually.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.





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- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luan Thai whose telephone number is (703) 308-1211. The examiner can normally be reached on 7:00 AM 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (703) 308-2772. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Luan Thai December 11, 2001. TOM THOMAS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2800